

In re: : Case No.: 22-10333-JCM
Michael A. Thompson : Chapter: 13
Amber Thompson :
Debtor(s). : Date: 9/12/2023
: Time: 02:00

PROCEEDING MEMO

MATTER #54 Consent Motion to File Claim After Claims Bar Date

APPEARANCES:

Debtor: Lauren M. Lamb (video)
Trustee: Kate DeSimone (video)
United States Dept. of Education: Jill Locnikar (video)

NOTES:

Locnikar: When we file these consent motions in a 13, it is typically in a situation where a different agency did not get notice and the Debtor wants it to be carried over. Payments have been made through the plan and we need to get them properly applied to the student loan.

Lamb: Section 9.1 of the form plan requires a timely filed claim.

J.: Rule 3002(c) requires a motion to extend prior to the expiration of the bar date. Before the next hearing, the parties are to provide the court with law in support of their position.

DeSimone: I believe payments can only be made if the claim is timely or deemed timely.

Lamb: I believe the only reason that payments stopped is because there was a servicer transfer so there was a return of payment to the chapter 13 trustee and the payment went on reserve at that time.

OUTCOME: Continued to October 17, 2023 at 10:00 A.M. Chambers to issue order.

SIGNED
9/13/23 9:16 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA